

S/N: 10/647,698

Atty Dkt No. GP-302475 / GM0328PUS

REMARKS

Claims 1, 4, 6-13, and 15-21 are pending. Claim 21 is allowed. Claims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including the limitations of the base claim and any intervening claims. Claims 1 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Eipper et al. (6,224,120). Claims 12, 13, 15, and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vermeulen (6,022,057) in view of Eipper et al. Claims 6 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Eipper et al. in view of Tohda et al. (6,447,049). Claims 1 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Vermeulen in view of Eipper et al.

In the present amendment, Applicants have cancelled claims 1 and 12-20. Applicants have amended claims 4, 6, 8, and 11.

In the Office Action mailed November 28, 2005, the Examiner stated that "[c]laims 8-10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims."

In the amendment filed January 30, 2006, Applicants amended claim 8 to be rewritten in independent form including all of the limitations of the base claim, i.e., claim 1, from which claim 8 originally directly depended. Accordingly, amended claim 8 is allowable.

However, the Examiner did not enter the amendment filed January 30, 2006. In an advisory action mailed February 9, 2006, the Examiner stated that "independent claim 1 now includes some(but not all) of the limitations of claim 8." Applicants assume that the Examiner meant that claim 8 now includes some (but not all) of the limitations of claim 1, since claim 1 was cancelled and claim 8 was rewritten in independent form. Applicants have carefully compared amended claim 8 in the amendment filed January 30, 2006 to claim 1 as amended in the amendment filed

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October 10, 2005; claim 8 as amended in the amendment filed January 30, 2006 includes all of the limitations of claim 1 as recited in the amendment of October 10, 2005. If the Examiner maintains the position that claim 8 does not include all of the limitations of claim 1, then the Examiner is respectfully asked to specifically state which limitations of claim 1 are not found in amended claim 8. Claim 8 in the present amendment is identical to claim 8 in the unentered amendment of January 30, 2006.

Claims 9 and 10 ultimately depend from claim 8, and therefore are no longer dependent upon a rejected base claim. Accordingly, claims 9 and 10 are allowable.

Claims 4, 6, and 11 have been amended to depend from claim 8, and are therefore allowable for at least the same reasons that claim 8 is allowable. Claim 7 depends from claim 6, which has been amended to depend from claim 8; therefore, claim 7 is allowable for at least the same reasons that claim 8 is allowable. Claim 1 has been cancelled.

The Examiner also stated in the advisory action that "new limitations have been added to independent claims 12 and 21."

Claims 12 and 21 were not amended in the amendment filed January 30, 2006, and were labeled "previously presented." Furthermore, Applicants have carefully compared claims 12 and 21 as recited in the amendment of January 30, 2006 to claims 12 and 21 as recited in the amendment of October 10, 2005.

Claim 12 as recited in the amendment of January 30, 2006 is identical to claim 12 as recited in the amendment of October 10, 2005. However, Applicants have cancelled claim 12 in the present amendment. Applicants have also cancelled claims 13-20.

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Claim 21 as recited in the amendment of January 30, 2006 is identical to claim 21 as recited in the amendment of October 10, 2005. The Examiner stated, in the Office Action of November 28, 2005, that "Claim 21 is allowed." Accordingly, claim 21 is allowable. If the Examiner maintains the position that "new limitations have been added to independent claim[] ... 21," then the Examiner is respectfully asked to state which limitation of claim 21 is believed to be new.

CONCLUSION

Applicants believe the foregoing to be fully responsive to the Office Action mailed November 28, 2005 and the advisory action mailed February 9, 2006. The remarks in support of the amended claims and the rejected claims are believed to place this application in condition for allowance, which action is respectfully requested.

Respectfully submitted

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